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- Transmittal Form (PTO/SB/21)
- Amendment and Response to Non-Final Office Action  
(17 pages)
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Application No.: - 10/037,085

Filed: - December 20, 2001

Applicant(s): - Kenneth M. MAXHAM

Title: - SYSTEM AND METHOD FOR SELECTING THE  
PLACEMENT OF OPTICAL AMPLIFIERS IN  
AN OPTICAL NETWORK

Examiner: - Christina Y. Leung

Art Unit: - 2633

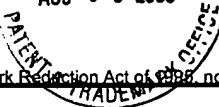
Attorney Docket No.: - CIE-0063 (21216-05666)

Client Docket No.: - 10.0882 (4312)

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Barbara C. Brown  
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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

18

Application Number	10/037,085
Filing Date	December 20, 2001
First Named Inventor	Kenneth M. MAXHAM
Art Unit	2633
Examiner Name	Christina Y. Leung

Attorney Docket Number

CIE-0063 (21216-05666)

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input checked="" type="checkbox"/> Amendment/Reply (17 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dougherty, Clements, Hofer, Bernard & Walker		
Signature			
Printed name	Christopher L. Bernard		
Date	August 9, 2005	Reg. No.	48,234

### CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Barbara C. Brown	Date	August 9, 2005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) ) Kenneth M. MAXHAM  
Application No. ) 10/037,085  
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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450 USA

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**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION**

Dear Sir/Madam:

In response to the non-final Office Action mailed May 17, 2005, rejecting Claims 1-35 of the above-referenced Application, in which Claims 1-35 are pending, Applicant respectfully requests that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicant submits that the Application is now in condition for allowance and respectfully requests such action.